

REMARKS/ARGUMENTS

1. Claim Amendments

The Applicant has amended claims 1, 10 and 11. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-22 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2. Examiner Objections – Specification

Claims 1-4, 6, 8-18, 20, and 22 were rejected in view of the Applicant's admitted Prior Art ("AAPA"). Although Applicant has amended claims 1, 10 and 11 to further distinguish the invention, Applicant respectfully traverses the rejection with respect to AAPA. It is noted, in particular, that the Examiner has failed to indicate the statutory basis of the rejection of claims 1-4, 6, 8-18, 20 and 22.

The Examiner states in the latest Office Action as follows:

The portions of the specification pointed to by the Examiner described "existing" methods and also described the work of others, namely "Baseband Specification" in "Specification of the Bluetooth System, Core, Version 1.1 ", Bluetooth Special Interest Group". This original disclosure cannot be considered to no longer be admitted prior art merely based on the location of the disclosure within the specification, rather, it is the actual language of the disclosure that controls.

However, the Examiner has failed to indicate the statutory basis of the rejection and, importantly, which portions and elements of the foregoing reference are equivalent to those of the present invention. Inasmuch as the Examiner has failed to indicate how "Baseband Specification" in "Specification of the Bluetooth System, Core, Version 1.1 ", Bluetooth Special Interest Group" teaches or suggests each and every element of claims 1-4, 6, 8-18, 20, and 22, the rejection is improper and should be withdrawn.

3. Claim Rejections – 35 U.S.C. § 103 (a)

Claims 5 and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over "AAPA". As noted above, the Examiner has pointed to "Baseband Specification" in "Specification of the Bluetooth System, Core, Version 1.1 ", Bluetooth Special Interest Group" as being AAPA. Applicant disagrees as the Examiner has failed to indicate which portions and elements of the foregoing reference are equivalent to those of the present invention.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations (MPEP 2143). In that regard, the Applicant respectfully submits that the Examiner's has failed to indicate how "Baseband Specification" in "Specification of the Bluetooth System, Core, Version 1.1 ", Bluetooth Special Interest Group" teaches or suggests each and every element of claims 5 and 19.

Claims 7 and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over "AAPA" in view of US Patent 6,449,473 to Raivisto. As noted above, the Examiner has pointed to "Baseband Specification" in "Specification of the Bluetooth System, Core, Version 1.1 ", Bluetooth Special Interest Group" as being AAPA. Applicant disagrees as the Examiner has failed to indicate which portions and elements of the foregoing reference are equivalent to those of the present invention.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations (MPEP 2143). In that regard, the Applicant respectfully submits that the Examiner's has failed to indicate how "Baseband

Specification" in "Specification of the Bluetooth System, Core, Version 1.1 ", Bluetooth Special Interest Group" in combination with Raivisto teach or suggest each and every element of claims 7 and 21.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



Michael Cameron
Registration No. 50,298

Date: July 20, 2009

Ericsson Inc.
6300 Legacy Drive, M/S EVR 1-C-11
Plano, Texas 75024

(972) 583-4145
michael.cameron@ericsson.com